



**COUNTY OF  
CHESTERFIELD  
VIRGINIA  
MEMO**

---

**TO:** Members of the Planning Commission  
Kirkland A. Turner, Director of Planning  
R. J. "John" McCracken, Director of Transportation

**FROM:** Jeffrey L. Mincks, Deputy County Attorney

**DATE:** October 1, 2007

**RE:** Impact Fee Public Hearing Information for October 16, 2007

---

Attached to this memorandum are: 1) the proposed impact fee Road Improvement Plan with accompanying map (showing road needs projected 20 years into the future) which will be added as an amendment to the Comprehensive Plan, and 2) two draft impact fee ordinances. The first ordinance (Ordinance #1) is drafted with certain assumptions:

1. that impact fees will only be imposed on residentially-zoned property;
2. that new residential zoning will address its impact on public facilities through cash proffers or other means;
3. that there will be a single impact fee service area encompassing the entire County;
4. that property for which cash proffers or CDA/service district funds will be paid for transportation improvements will be exempted from the payment of impact fees;
5. that an appeal of an impact calculation (mandated by statute) will be heard by the BZA, that a notice of appeal must be filed within 60 days of the calculation, and that the owner will have 60 additional days to file the substantive basis for the appeal; the ordinance also provides that the decision of the BZA can be appealed in accordance with Virginia law.

6. the methodology for calculating impact fees is consistent with the methodology explained in the attached PowerPoint presentation;
7. If a developer elects to use the statutorily-mandated installment payment option to pay his fees, the unpaid balance will accrue interest at the rate specified in the County Code for other unpaid accounts.

The remaining provisions of the ordinance are required by the new legislation. Staff recommends the adoption of this ordinance.

Ordinance #2 is the same ordinance but includes property subject to transportation-related cash proffers or CDA/service district assessments as part of the property subject to impact fees. After the public hearing, the Commission will be requested 1) to recommend adoption of the attached Road Improvement Plan as part of the County's Comprehensive Plan and 2) to recommend adoption of Ordinance #1.

**DRAFT ONLY**

AN ORDINANCE TO AMEND THE CODE OF THE COUNTY  
OF CHESTERFIELD, 1997, AS AMENDED, BY ADDING  
A NEW ARTICLE XVII TO CHAPTER 9 OF THE CODE  
RELATING TO TRANSPORTATION IMPACT FEES TO FUND AND RECAPTURE  
THE COST OF PROVIDING REASONABLE ROAD IMPROVEMENTS

BE IT ORDAINED by the Board of Supervisors of Chesterfield County:

(1) *That the Code of the County of Chesterfield, 1997, as amended, is amended by adding the following:*

**Chapter 9  
FINANCE AND TAXATION**

ooo

**ARTICLE XVII. TRANSPORTATION IMPACT FEES**

**Section 9-250. Establishing a system of impact fees.**

Pursuant to Code of Virginia § 15.2-2322, the county hereby establishes a system of impact fees to fund reasonable road improvements benefiting new residential development. In accordance with Code of Virginia §15.2-2320, one or more impact fee service areas shall be designated by amendment to the county's comprehensive land use plan. Such plan amendment may designate the entire county as one impact fee service area.

**Section 9-251. When impact fees determined and collected.**

- (a) Pursuant to Code of Virginia § 15.2-2323, the amount of impact fees to be imposed on a specific development shall be determined no later than final subdivision or site plan approval.
- (b) Pursuant to Code of Virginia § 15.2-2323, the impact fee shall be collected for each residential lot or housing unit at the time a building permit is issued for such lot or housing unit.
- (c) No building permit shall be issued for a lot or housing unit on which an impact fee has been imposed unless the owner of the lot or housing unit, or his agent, has (i) paid the applicable impact fee or (ii) has executed an agreement provided by the county and secured by a bond or a letter of credit approved by the county, to pay the impact fee, in equal installments, over a period of no more than 3 years. If payments are made in installments pursuant to subsection (c) (ii), interest on the unpaid portion shall accrue interest at the rate specified in § 9-6 of this Code.
- (d) The calculation of an impact fee may be appealed by the owner or his agent to the Chesterfield County Board of Zoning Appeals. A notice of appeal shall be filed with the director of planning within 60 days of the calculation of the impact fee amount by the county.

# DRAFT ONLY

The owner or agent shall submit the substantive basis for his appeal to the director of planning within 60 days of filing a notice of appeal. The decision of the Board of Zoning Appeals may be appealed in accordance with state law.

## **Section 9-252. Determination of the amount of the impact fee.**

- a) The impact fee for a development shall be determined by dividing (i) the projected road improvement costs within the impact fee service area in which the development is located by (ii) the number of projected housing units within the impact fee service area when such area is fully developed. This calculation shall be based on the number of trips generated by each such housing unit. The projected road improvement costs for each impact fee service area shall be calculated in accordance with the county's road improvement plan as specified in Code of Virginia §15.2-2321.
- b) The value of any dedication, contribution or construction from the developer for off-site road or other transportation improvements benefiting the impact fee service area shall be treated as a credit against the impact fees imposed on the developer's project whether by condition of zoning or other written commitment to the county. The county shall also calculate and credit against the impact fees the extent to which (i) other developments have already contributed to the cost of existing roads which will benefit the development, (ii) new development will contribute to the cost of existing roads, and (iii) new development will contribute to the cost of road improvements in the future other than through impact fees, including any special taxing districts, special assessments, or community development authorities.
- c) The schedule of impact fees is:
- | <u>Use</u>  | <u>Impact Fee</u> |
|-------------|-------------------|
| Residential | \$5,820           |
| Commercial  | \$ 0              |
| Industrial  | \$ 0              |
- d) Any lot or housing unit which is subject to a transportation cash proffer or to increased taxes, assessments or fees for road improvements pursuant to a community development authority or a transportation service district, shall not be subject to the payment of impact fees.

## **Section 9-254. Updating road improvement plan and amending impact fees.**

In accordance with Code of Virginia § 15.2- 2325, the Board of Supervisors shall update the impact fee road improvement plan at least every two years. The impact fee schedule shall be amended to reflect substantial changes in the road improvement plan. Any impact fees not yet paid at the time of the amendment to the impact fee schedule shall be assessed at the applicable amended amount.

# DRAFT ONLY

## **Section 9-255. Use of impact fees.**

A separate road improvement account shall be established for each impact fee service area and all funds collected through impact fees shall be deposited in the appropriate account. Each account shall bear interest which shall become funds of the account. The expenditure of funds from the account shall be only for road improvements benefiting the impact fee service area as set out in the road improvement plan for such impact fee service area.

## **Section 9-256. Refunds.**

The county shall refund any impact fee in accordance with the requirements of the Code of Virginia § 15.2-2327.

(2) *That this ordinance shall become effective immediately upon adoption.*

This page is blank.

**DRAFT ONLY**

AN ORDINANCE TO AMEND THE CODE OF THE COUNTY  
OF CHESTERFIELD, 1997, AS AMENDED, BY ADDING  
A NEW ARTICLE XVII TO CHAPTER 9 OF THE CODE  
RELATING TO TRANSPORTATION IMPACT FEES TO FUND AND RECAPTURE  
THE COST OF PROVIDING REASONABLE ROAD IMPROVEMENTS

BE IT ORDAINED by the Board of Supervisors of Chesterfield County:

(1) *That the Code of the County of Chesterfield, 1997, as amended, is amended by adding the following:*

**Chapter 9  
FINANCE AND TAXATION**

ooo

**ARTICLE XVII. TRANSPORTATION IMPACT FEES**

**Section 9-250. Establishing a system of impact fees.**

Pursuant to Code of Virginia § 15.2-2322, the county hereby establishes a system of impact fees to fund reasonable road improvements benefiting new residential development. In accordance with Code of Virginia §15.2-2320, one or more impact fee service areas shall be designated by amendment to the county's comprehensive land use plan. Such plan amendment may designate the entire county as one impact fee service area.

**Section 9-251. When impact fees determined and collected.**

- (a) Pursuant to Code of Virginia § 15.2-2323, the amount of impact fees to be imposed on a specific development shall be determined no later than final subdivision or site plan approval.
- (b) Pursuant to Code of Virginia § 15.2-2323, the impact fee shall be collected for each residential lot or housing unit at the time a building permit is issued for such lot or housing unit.
- (c) No building permit shall be issued for a lot or housing unit on which an impact fee has been imposed unless the owner of the lot or housing unit, or his agent, has (i) paid the applicable impact fee or (ii) has executed an agreement provided by the county and secured by a bond or a letter of credit approved by the county, to pay the impact fee, in equal installments, over a period of no more than 3 years. If payments are made in installments pursuant to subsection (c) (ii), interest on the unpaid portion shall accrue interest at the rate specified in § 9-6 of this Code.
- (d) The calculation of an impact fee may be appealed by the owner or his agent to the Chesterfield County Board of Zoning Appeals. A notice of appeal shall be filed with the director of planning within 60 days of the calculation of the impact fee amount by the county.

# DRAFT ONLY

The owner or agent shall submit the substantive basis for his appeal to the director of planning within 60 days of filing a notice of appeal. The decision of the Board of Zoning Appeals may be appealed in accordance with state law.

## **Section 9-252. Determination of the amount of the impact fee.**

- a) The impact fee for a development shall be determined by dividing (i) the projected road improvement costs within the impact fee service area in which the development is located by (ii) the number of projected housing units within the impact fee service area when such area is fully developed. This calculation shall be based on the number of trips generated by each such housing unit. The projected road improvement costs for each impact fee service area shall be calculated in accordance with the county's road improvement plan as specified in Code of Virginia §15.2-2321.
- b) The value of any dedication, contribution or construction from the developer for off-site road or other transportation improvements benefiting the impact fee service area shall be treated as a credit against the impact fees imposed on the developer's project whether by condition of zoning or other written commitment to the county. The county shall also calculate and credit against the impact fees the extent to which (i) other developments have already contributed to the cost of existing roads which will benefit the development, (ii) new development will contribute to the cost of existing roads, and (iii) new development will contribute to the cost of road improvements in the future other than through impact fees, including any special taxing districts, special assessments, or community development authorities.

- c) The schedule of impact fees is:

<u>Use</u>	<u>Impact Fee</u>
Residential	\$5,820
Commercial	\$ 0
Industrial	\$ 0

## **Section 9-254. Updating road improvement plan and amending impact fees.**

In accordance with Code of Virginia § 15.2- 2325, the Board of Supervisors shall update the impact fee road improvement plan at least every two years. The impact fee schedule shall be amended to reflect substantial changes in the road improvement plan. Any impact fees not yet paid at the time of the amendment to the impact fee schedule shall be assessed at the applicable amended amount.

## **Section 9-255. Use of impact fees.**

A separate road improvement account shall be established for each impact fee service area and all funds collected through impact fees shall be deposited in the appropriate account. Each account shall bear interest which shall become funds of the account. The expenditure of



# DRAFT ONLY

funds from the account shall be only for road improvements benefiting the impact fee service area as set out in the road improvement plan for such impact fee service area.

## **Section 9-256. Refunds.**

The county shall refund any impact fee in accordance with the requirements of the Code of Virginia § 15.2-2327.

(2) *That this ordinance shall become effective immediately upon adoption.*

This page is blank.

**Chesterfield County  
Impact Fee Program  
Road Improvement Plan**

First Adopted by the  
Board of Supervisors  
[date]

This page is blank.

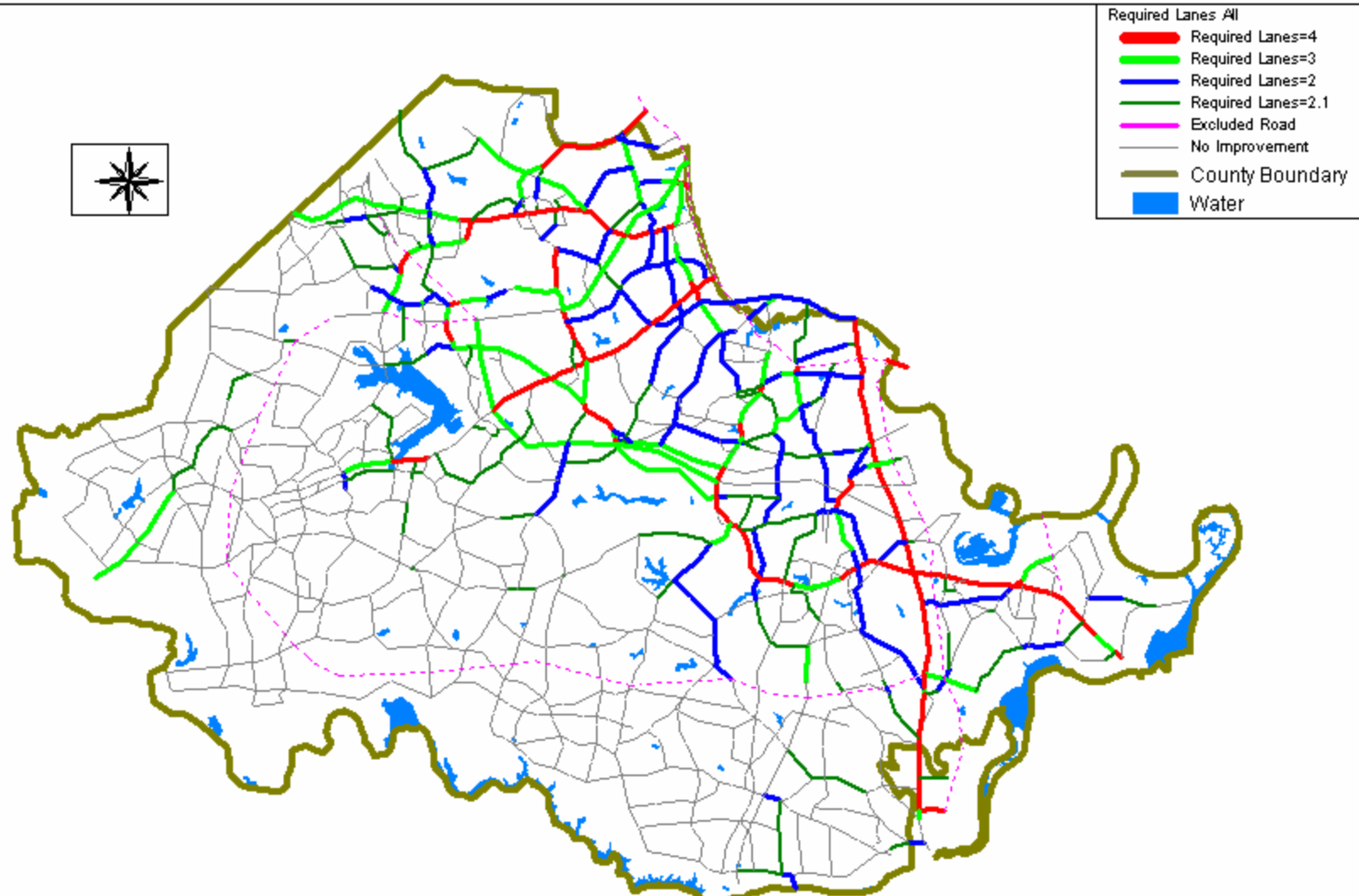
## **Chesterfield County Impact Fee Program Road Improvement Plan**

Pursuant to Article 8, Chapter 22 of Title 15.2 of the Code of Virginia, (Va.Code §§15.2-2317 - 2327), the Chesterfield County Board of Supervisors has adopted an impact fee program to pay, in part, the cost of transportation improvements necessitated by certain residential development. As part of the impact fee program, the Comprehensive Plan of the County must be amended to add a “Road Improvement Plan”. The Road Improvement Plan consists of a listing of transportation improvements necessitated by 20 years of development, based on the County’s current growth projections. The listing is created by utilizing the County’s Thoroughfare Plan and a computer-based transportation model (TP+). The listing of projected transportation improvements and a map showing such projected improvements are included below and constitute the impact fee Road Improvement Program.

The schedule for the construction of road improvements using impact fees is the same schedule currently used for the construction of road improvements using cash proffer funds. The Transportation Department will review, on a quarterly basis, the impact fees that are collected by the County. When sufficient funds have been collected and/or future collections are anticipated in a timely manner to fund improvements, the Transportation Department will request the Board of Supervisors to make appropriations of the fees and give approval to proceed with the improvements. The Transportation Department currently prefers approximately \$500,000 to be collected before it will proceed with road design and right of way acquisition. The Transportation Department will usually need \$1 million or more in order to construct a viable transportation project. The Transportation Department will also consider supplementing VDOT funding on a project with impact fees if the fees will allow the project to be constructed.

This page is blank.

Chesterfield Model  
Required Lanes for All Roads



# ROAD IMPROVEMENT PLAN

This page is blank.



**DRAFT IMPACT FEE ROAD IMPROVEMENT PLAN**  
**"NON-SMOOTHED"**  
**8/20/2007**

<b>ROAD</b>	<b>FROM</b>	<b>TO</b>	<b>WIDEN TO # LANES</b>
288	POWHITE PARKWAY	ROUTE 10	6
ALVERSER DRIVE	MIDLOTHIAN TURNPIKE	HUGUENOT ROAD	4
ARCH ROAD	MIDLOTHIAN TURNPIKE	REAMS ROAD	4
ASHBROOK PARKWAY	ASHLAKE PKWY	OTTERDALE ROAD	2
BAILEY BRIDGE ROAD	DEER RUN	CLAYPOINTE ROAD	2
BALDWIN CREEK ROAD	HULL STREET ROAD	ASHLAKE PARKWAY	4
BEACH ROAD	NASH ROAD	ROUTE 10	6
BEACH ROAD	NASH ROAD	WOODLAND POND	2
BEACH ROAD	BUNDLE ROAD	SECOND BRANCH	2
BELMONT ROAD	WHITEPINE ROAD	JESSUP ROAD	4
BERMUDA HUNDRED ROAD	ENON CHURCH ROAD	ALLIED ROAD	2 & 4
BEULAH ROAD	SALEM CHURCH ROAD	HOPKINS ROAD	6
BEULAH ROAD	KINGSLAND ROAD	SALEM CHURCH ROAD	2
BEULAH ROAD	HOPKINS ROAD	MEADOWDALE BLVD	4
BOULDERS BLVD	MIDLOTHIAN TURNPIKE	JAHNKE ROAD	6
BUFORD ROAD	FOREST HILL AVENUE	MIDLOTHIAN TURNPIKE	4 & 6
CENTERPOINTE PARKWAY	OLD HUNDRED ROAD	288	4 & 8
CENTRALIA ROAD	ROUTE 10	CHALKLEY ROAD	2
CENTRALIA ROAD	CHALKLEY ROAD	CHESTER ROAD	4
CHALKLEY ROAD	CENTRALIA ROAD	ROUTE 10	2
CHARTER COLONY PKWY	GENITO ROAD	POWHITE PARKWAY	8
CHESTER ROAD	JEFFERSON DAVIS	NORMANDALE	4
CHESTER ROAD	NORMANDALE	CENTRALIA ROAD	8
CHESTER ROAD	CENTRALIA ROAD	RR R/W	6
CHESTER ROAD	RR R/W	ROUTE 10	4
COURTHOUSE ROAD	REAMS ROAD	HULL STREET ROAD	8
COURTHOUSE ROAD	HULL STREET ROAD	GENITO ROAD	6
COURTHOUSE ROAD	GENITO ROAD	288	8
COURTHOUSE ROAD	288	ROUTE 10	6
COURTHOUSE ROAD EXT	ROUTE 10	SALEM CHURCH ROAD	2
CRANBECK ROAD	ROBIOUS ROAD	KOGER CENTER BLVD	4
EASTFAIR DRIVE	NASH ROAD	WOODPECKER ROAD	4
ELKHARDT ROAD	PROVIDENCE ROAD	HULL STREET ROAD	4
ENON CHURCH ROAD	RUFFIN MILL ROAD	POINT ROCKS ROAD	4
ENON CHURCH ROAD	POINT ROCKS ROAD	ROUTE 10	6
EW ARTERIAL	MIDLOTHIAN TURNPIKE	OTTERDALE ROAD	2
EW ARTERIAL	OTTERDALE ROAD	DRY BRIDGE ROAD	4
EW ARTERIAL	DRY BRIDGE ROAD	OLD HUNDRED ROAD	2
FOREST HILL AVENUE	HUGUENOT ROAD	COUNTY LINE	4
GENITO ROAD	WOOLRIDGE ROAD	BRANDERMILL PARKWAY	2
GENITO ROAD	BRANDERMILL PARKWAY	CHARTER COLONY PKWY	4
GENITO ROAD	CHARTER COLONY PKWY	HULL STREET ROAD	6
GENITO ROAD	HULL STREET ROAD	COURTHOUSE ROAD	6
HAPPY HILL ROAD	HARROWGATE ROAD	JEFFERSON DAVIS	4
HARROWGATE ROAD	ROUTE 10	HAPPY HILL ROAD	4
HARROWGATE ROAD	JEFFERSON DAVIS	EAST WEST FREEWAY	2
HICKORY ROAD	NORTH SOUTH FREEWAY	MATOACA ROAD	4

HOPKINS ROAD	CHIPPENHAM PKWY	BEULAH ROAD	6
HOPKINS ROAD	BEULAH ROAD	OLD LANE	4
HOPKINS ROAD	CHIPPENHAM PKWY	COUNTY LINE (NORTH)	2
HUGUENOT ROAD	ROBIOUS ROAD	COUNTY LINE	8
HUGUENOT ROAD	ROBIOUS ROAD	KOGER CENTER BLVD	6
HULL STREET ROAD	COUNTY LINE (WEST)	POWHITE PARKWAY	6
HULL STREET ROAD	OTTERDALE ROAD	WOODLAKE PKWY	6
HULL STREET ROAD	WOODLAKE PKWY	SPRING RUN ROAD	8
HULL STREET ROAD	288	COUNTY LINE	8
JAHNKE ROAD	BUFORD ROAD	CHIPPENHAM PKWY	4 & 6
JEFFERSON DAVIS	COUNTY LINE (NORTH)	COUNTY LINE (SOUTH)	8
JESSUP ROAD	BELMONT ROAD	ROUTE 10	2 & 4
KINGSLAND ROAD	HOPKINS ROAD	CHESTER ROAD	4
KINGSLAND ROAD	ROUTE 10	HOPKINS ROAD	2
KINGSLAND ROAD EXT	ROUTE 10	BELMONT ROAD	4
LEWIS ROAD	CARVER HEIGHTS	RR R/W	2
LEWIS ROAD	ROUTE 10	CARVER HEIGHTS	4
LUCKS LANE	288	COURTHOUSE ROAD	4 & 6
MATOACA ROAD	RIVER ROAD	HICKORY ROAD	2
MEADOWDALE BLVD	HOPKINS ROAD	JEFFERSON DAVIS	4
MEADOWVILLE ROAD	ROUTE 10	I-295	6
MIDLOTHIAN TURNPIKE	COUNTY LINE	WOOLRIDGE ROAD	6
MIDLOTHIAN TURNPIKE	WOOLRIDGE ROAD	BOULDERS BLVD	8
MT. HERMON ROAD EXT	NORTH SOUTH ARTERIA	DUVAL ROAD	2
NASH ROAD	BEACH ROAD	EASTFAIR DRIVE	4
NASH ROAD	WINTERPOCK ROAD	EASTFAIR DRIVE	2
NEW ROAD	WOOLRIDGE ROAD	OLD HUNDRED ROAD	2
NEWBY'S BRIDGE ROAD	HULL STREET ROAD	COGBILL ROAD	4
NEWBY'S BRIDGE ROAD	COGBILL ROAD	BELMONT ROAD	2
NEWBY'S BRIDGE ROAD	QUALLA ROAD	288	2
NORTH SOUTH ARTERIAL	DUVAL ROAD	SKINQUARTER ROAD	2
NORTH SOUTH ARTERIAL	SKINQUARTER ROAD	HULL STREET ROAD	2
OLD BERMUDA HUNDRED	JEFFERSON DAVIS	ROUTE 10	4
OLD BON AIR ROAD	ROBIOUS ROAD	BUFORD ROAD	4
OLD BUCKINGHAM ROAD	MIDLOTHIAN TURNPIKE	ALVERSER DRIVE	2
OLD CENTRALIA ROAD	CHESTER ROAD	ROUTE 10	4
OLD HUNDRED ROAD	NEW ROAD	DRY BRIDGE ROAD	2
OLD LANE	HOPKINS ROAD	CHESTER ROAD	4
OLD STAGE ROAD	ROUTE 10	WARE BOTTOM SPRING	2
OSBORNE ROAD	ROUTE 10	JEFFERSON DAVIS	4
OTTERDALE ROAD	288	MIDLOTHIAN TURNPIKE	2
PICKETT AVENUE	RIVER ROAD	COUNTY LINE (SOUTH)	4
PINETTA DRIVE	MIDLOTHIAN TURNPIKE	BUFORD ROAD	2
POCOSHOCK BLVD	MIDLOTHIAN TURNPIKE	HULL STREET ROAD	4
POWHITE PARKWAY	COURTHOUSE ROAD	CHIPPENHAM PKWY	6
PROVIDENCE ROAD	MIDLOTHIAN TURNPIKE	COURTHOUSE ROAD	4
QUALLA ROAD	288	COURTHOUSE ROAD	2
QUALLA ROAD	288	SPRING RUN ROAD	4
REAMS ROAD	COURTHOUSE ROAD	HULL STREET ROAD	2 & 4
RIVER ROAD	HICKORY ROAD	COUNTY LINE (EAST)	2 & 4
RIVER ROAD	MATOACA ROAD	NORTH - SOUTH FREEWAY	2

ROBIOUS ROAD	HUGUENOT ROAD	COUNTY LINE	6
ROBIOUS ROAD	HUGUENOT ROAD	MIDLOTHIAN TURNPIKE	6
ROUTE 10	CHIPPENHAM PKWY	WHITEPINE ROAD	6
ROUTE 10	WHITEPINE ROAD	CHALKLEY ROAD	8
ROUTE 10	CHALKLEY ROAD	ECOFF ROAD	6
ROUTE 10	ECOFF ROAD	COUNTY LINE (EAST)	8
RR R/W	EAST WEST FREEWAY	LEWIS ROAD	6
RUFFIN MILL ROAD	JEFFERSON DAVIS	CONTINENTAL BLVD	6
RUFFIN MILL ROAD	CONTINENTAL BLVD	ENON CHURCH ROAD	2
SALEM CHURCH ROAD	BEULAH ROAD	CENTRALIA ROAD	4
SALISBURY ROAD	WINTERPOCK ROAD	ROBIOUS ROAD	2
SPRING RUN ROAD	QUALLA ROAD	HENSLEY ROAD	2
TURNER ROAD	HULL STREET ROAD	MIDLOTHIAN TURNPIKE	6
TURNER ROAD	HULL STREET ROAD	WALMSLEY BOULEVARD	8
TURNER ROAD	WALMSLEY BOULEVARD	BELMONT ROAD	6
WALMSLEY BOULEVARD	HULL STREET ROAD	COUNTY LINE	4
WHITE PINE ROAD	ROUTE 10	BELMONT ROAD	6
WINTERFIELD ROAD	MIDLOTHIAN TURNPIKE	SALISBURY ROAD	4
WINTERFIELD ROAD	SALISBURY ROAD	COUNTY LINE	2
WINTERPOCK ROAD	HULL STREET ROAD	SPRINGFORD	2
WOODPECKER ROAD	EASTFAIR DRIVE	EAST WEST FREEWAY	4
WOODPECKER ROAD	NORTH SOUTH FREEWAY	LAKEVIEW	2
WOODSEDGE ROAD	JEFFERSON DAVIS	ASHTON CREEK	4
WOOLRIDGE ROAD	MIDLOTHIAN TURNPIKE	288	6 & 8
WOOLRIDGE ROAD	288	POWHITE PARKWAY	6 & 8